

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: DANIEL J. LYTWYN and :
ANGELA M. LYTWYN, : Bankruptcy No. 17-10728-REF
Debtors. : Chapter 13
:

**ADDENDUM TO THIRD AMENDED PLAN DATED FEBRUARY 27, 2019
FILED AT DOCUMENT #43**

1. **TREATMENT OF M&T BANK CLAIM #2:** The mortgage creditor, M&T Bank (serviced by Lakeview Loan Servicing, LLC and docketed at Claim #2), received stay relief by the filing of a "Certification of Default" on July 13, 2018. Up to that date, the Trustee had distributed a total of \$4,709.61 to M&T Bank. Subsequent to the filing of said Certification of Default, the Debtors reinstated their mortgage by a direct payment over to the mortgage creditor of a lumpsum withdrawal from the Joint Debtor's 401K account in the amount of \$17,110.50. Since the mortgage claim has now been resolved outside of the purview of the Plan, and since any further payment to the mortgage creditor would result in excess payment to said creditor, as of the date of the Third Amended Plan filed on February 27, 2019, the Trustee shall make no further distributions to M&T Bank at Claim #2.
2. **UNSECURED CLAIMS MAY NOT RECEIVE LESS THAN 100%:** Debtors' Third Amended Plan proposes a distribution over the remaining Plan Term sufficient to pay all allowed unsecured priority and non-priority claims at a rate of 100%. Debtors are hereby precluded from offering any future Plan modifications or amendments which would result in a distribution to the allowed unsecured priority and non-priority claims that would pay less than 100% of said claims.
3. **ADJUSTMENT TO PLAN PAYMENT AND PLAN BASE:** Debtors' Chapter 13 Plan payment is hereby increased to **\$396.00** effective immediately and continuing through the remaining 32 months of the Plan Term. Accordingly, the total plan base shall be and is hereby increased to **\$27,330.00**.

Respectfully submitted,

LAW OFFICE OF STEPHEN M. OTTO, LLC

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